

DOCKET NO. 2000-312

JUNE 25, 2002

METROMEDIA FIBER NETWORK SERVICES, INC.
Petition for Finding of Public Convenience & Necessity
to Provide Local Exchange Service, Exchange Access
Service and Facilities Based and Resold Inter-
exchange Service

ORDER DISMISSING APPLICATION

WELCH, Chairman; NUGENT and DIAMOND, Commissioners

I. SUMMARY

In this Order we dismiss without prejudice the Application filed by Metromedia Fiber Networks Services, Inc. (MFNS) for authority to provide local exchange service and interexchange service in the State of Maine.

II. DISCUSSION

On April 5, 2000, MFN filed an application pursuant to 35-A M.R.S.A. § 2102 to provide local exchange and interexchange service in Maine. The Commission Staff has communicated with MFN on a number of occasions about deficiencies in the application. MFN has not remedied those deficiencies as of this date. We find that this application has been pending for too lengthy a period and we therefore dismiss it without prejudice. We note that since the application was filed we have made a number of important changes to our application package (that is available at our website and from the Administrative Director). Any new application that MFNS may file should take these changes into account.

Accordingly, we

ORDER

That the application for authority to provide telephone service in Maine filed by Metromedia Fiber Networks Services, Inc. on April 5, 2000, is hereby found to be insufficient and is dismissed without prejudice.

Dated at Augusta, Maine, this 25th Day of June 2002.

BY ORDER OF THE COMMISSION

Dennis L. Keschl
Administrative Director

COMMISSIONERS VOTING FOR: Welch
Nugent
Diamond

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within 30 days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Appellate Procedure.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.